

date, in the form of scrip or time warrants, either or both, may be included in such refunding bond issue; providing that such refunding bonds shall be first authorized by a majority vote cast by the duly qualified property taxpaying voters voting at an election held for that purpose; authorizing the levy of a tax to pay principal and interest on such bonds, and providing that the amount of bonds issued under this Act shall never reach an amount where a tax of Five (5) Cents on the one hundred dollars valuation will not pay current interest and provide a sinking fund sufficient to redeem them at maturity; providing that the general laws relative to county refunding bonds, not in conflict herewith, shall apply to the issuance, approval, and certification, and registration of the bonds provided for in this Act; providing that if any section, clause, or phrase of this Act be held unconstitutional, such decision shall not affect the remaining portion of this Act; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

June 5, 1941

House Concurrent Resolution No. 185.

House Concurrent Resolution No. 190.

EIGHTY-SIXTH DAY

(Monday, June 9, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Blankenship
Allison	Boone
Alsup	Brawner
Avant	Bray
Bailey	Bridgers
Baker	Brown
Bean	Bruhl
Benton	Bullock

Bundy	Lansberry
Burkett	Lehman
Burnaman	Leyendecker
Carlton	Little
Carrington	Lock
Cato	Love
Chambers	Lowry
Clark	Lucas
Cleveland	Lyle
Coker	McAlister
Colson, Mrs.	McDonald
Connelly	McGlasson
Craig	McLellan
Crossley	McMurry
Crosthwait	McNamara
Daniel	Manford
Deen	Manning
Dickson of Bexar	Markle
Dickson of Nolan	Martin
Donald	Matthews
Dove	Mills
Duckett	Montgomery
Dwyer	Moore
Ellis	Morgan
Eubank	Morris
Evans	Morse
Ferguson	Murray
Files	Pace
Fitzgerald	Parker
Fuchs	Pevehouse
Gandy	Phillips
Garland	Price
Gilmer	Rampy
Goodman	Reed of Bowie
Halsey	Reed of Dallas
Hanna	Ridgeway
Hardeman	Rhodes
Hargis	Roark
Harris of Dallas	Roberts
Harris of Hill	Sallas
Hartzog	Senterfitt
Heflin	Sharpe
Henderson	Skiles
Hileman	Smith of Bastrop
Hobbs	Smith of Atascosa
Howard	Spacek
Howington	Spangler
Hoyo	Stanford
Huddleston	Stinson
Hughes	Stubbs
Humphrey	Taylor
Hutchinson	Thornton
Isaacks	Turner
Jones	Vale
Kelly	Walters
Kennedy	Wattner
Kinard	Weatherford
King	White
Klingeman	Whitesides
Knight	Winfree
	Absent
Celaya	Shell

Absent—Excused

Allen	Kersey
Bell	McCann
Davis	Nicholson
Favors	Simpson
Helpinstill	Voigt
Huffman	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Lord, as we have enjoyed Thy blessings through these days we thank Thee for Thy goodness to us, and for another day and week in which we may be helpful to others and serve Thee. The Lord lead us here; and do Thou look in mercy upon our country, and endow our President with great wisdom and lead our nation through the mists and clouds into the open day. For Christ's sake. Amen."

LEAVES OF ABSENCE
GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Davis for today, on motion of Mr. Bundy.

Mr. Simpson for today, on motion of Mr. Alsup.

Mr. McCann for today, on motion of Mr. Senterfitt.

Mr. Huffman for today, and the balance of the week, on motion of Mr. Isaacks.

Mr. Kersey for today, on motion of Mr. Carlton.

Mr. Allen for today, on motion of Mr. Markle.

Mr. Helpinstill for today, on motion of Mr. Hargis.

Mr. Bell for today, on motion of Mr. Morris.

Mr. Voigt for today, on motion of Mr. Skiles.

The following Members were granted leaves of absence on account of illness:

Mr. Nicholson for today, and the balance of the week, on motion of Mr. Burkett.

Mr. Favors for today, on motion of Mr. Craig.

BILLS RE-REFERRED

Mr. Donald moved that House Bill Nos. 656 and 661 be withdrawn from the Committee on Insurance and referred to the Committee on Labor.

Mr. Blankenship moved to table the motion to re-refer.

The motion to table was lost.

Question then recurring on the motion by Mr. Donald, it prevailed.

ENDORISING POLICY OF PRESIDENT ROOSEVELT

Mr. Blankenship offered the following resolution:

H. C. R. No. 187, Endorsing Policy of President Roosevelt.

Whereas, The President of the United States has announced a new foreign policy declaring a national emergency of great importance to the people of the United States and the world, and has issued a declaration of principles guaranteeing the freedom of the seas, proposing active resistance with all our resources, whenever and wherever necessary, against efforts of any foreign powers to encroach upon the liberties and freedom of people living under democratic government, and

Whereas, The forefathers of our State have many times devoutly defended these very principles on the battlefields of Texas, and

Whereas, The citizens of this State through their duly elected representatives have endorsed the conveying of ships, Now therefore be it

Resolved by the House of Representatives, the Senate concurring, That we, in behalf of the citizens of Texas, wholeheartedly endorse and approve the President's declaration of principle and pledge our complete cooperation and active support in this emergency for the defense of our Country and the democratic principles and liberties so dear to the American people. And be it further

Resolved, That a copy of this resolution signed by the President of the Senate and the Speaker of the House of Representatives be forwarded to the President of the United States.

BLANKENSHIP,
TAYLOR,
CATO.

The resolution was read second time and was adopted.

**MEMORIALIZING CONGRESS IN
REGARD TO LABOR
DISTURBANCES**

Mr. Lucas offered the following resolution.

H. C. R. No. 220, Memorializing Congress in regard to labor disturbances.

Whereas, President Franklin D. Roosevelt has proclaimed that an unlimited National emergency confronts this Country, which requires that its military, naval, air, and civilian defenses be put on the basis of readiness to repel any and all sets or threats of aggression directed toward any part of the Western Hemisphere; and

Whereas, President Roosevelt called upon our loyal workmen as well as employers to merge their lesser differences in the larger effort to insure the survival of the only kind of government which recognizes the rights of labor or of capital; and

Whereas, He called upon loyal State and local leaders and officials to cooperate with the civilian defense agencies of the United States to assure our internal security against foreign directed subversion and to put every community in order for maximum productive effort and minimum of waste and unnecessary frictions; and

Whereas, The President called upon all loyal citizens to place the Nation's needs first in mind and in action, to the end that we may mobilize and have ready for instant defensive use all of the physical powers, all of the moral strength, and all of the material resources of this Nation; and

Whereas, Selective Service officials have urged the cooperation of local boards to make certain that no man is called for direct military training who is more useful for National defense in his civilian occupation; and

Whereas, Hundreds of thousands of our young men of America are at this time serving in our peacetime army, for which service they are receiving Twenty-one Dollars (\$21) per month; and

Whereas, We must arm, feed, and clothe such military forces of Democracy, and it is highly important that there be no interference with

the production of defense supplies and material; and

Whereas, Press reports indicate that many strikes have hampered our Defense program; and

Whereas, Many of the persons participating in such strikes are receiving salaries and many privileges not accorded our men under arms; and

Whereas, It is apparent that such strikes must cease if we are to receive the maximum benefits from the efforts of our mobilized manpower and industry; now, therefore, be it

Resolved, By the House of Representatives of the State of Texas, the Senate concurring, that we urge the Congress of the United States and our President to take immediate action toward utilizing our vast national resources to the fullest extent, and to effectively prevent strikes or labor disturbances which would impede or delay our national defense program during this period of unlimited national emergency; and, be it further

Resolved, that the Chief Clerk of the House of Representatives be instructed to send copies of this Resolution, under the Seal of the House, to the President of the United States and to the Texas delegation in Congress.

LUCAS,
BENTON,
WHITESIDES,
KNIGHT,
HOBBS,
DONALD,
WHITE,
DOVE,
DEEN,
GARLAND,
RAMPY,
STUBBS,
HUMPHREY,
CATO,
SENTERFITT,
HUDDLESTON,
SMITH of Bastrop,
GANDY,
PARKER,
SALLAS.

The resolution was read second time and was adopted.

**EXPRESSING SYMPATHY OF THE
HOUSE TO HON. ENNIS
FAVORS**

Mr. Coker offered the following resolution:

H. S. R. No. 325, Expressing sympathy of the House to Hon. Ennis Favors.

Whereas, Our genial and capable House Member, Ennis Favors, is now ill and in the Breckenridge Hospital in Austin; and

Whereas, the House of Representatives misses this distinguished Gentleman; now, therefore, be it

Resolved by the House of Representatives, That we hereby wish for him a speedy recovery; and be it further

Resolved, That the Chief Clerk of the House is hereby instructed to send flowers to the bedside of this member, and that he be sent a copy of this Resolution

COKER,
CRAIG,
EUBANK.

The resolution was read second time

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Mrs. Colson, Connelly, Crossley, Crosthwait, Daniel Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Evans, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampsy, Reed of Bowie, Reed of Dallas, Ridgeway, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner,

Weatherford, White, Whitesides, and Winfree.

On the motion of Mr. Kelly the names of all the members of the House were added to the resolution as signers thereof

The resolution was unanimously adopted

EXPRESSING SYMPATHY OF THE HOUSE TO HON. C. E. NICHOLSON

Mr. Morse offered the following resolution:

H. S. R. No. 327, Expressing sympathy of the House to Hon. C. E. Nicholson.

Whereas, The Honorable C. E. Nicholson, the loved, valued and able Dean of this House from the City of Port Neches, is confined in the St. Mary's Hospital in the City of Port Arthur suffering from a serious illness aggravated by his arduous service during this session; and

Whereas, The House holds Mr. Nicholson in deep affection and is solicitous for his early and complete recovery; and

Whereas, The House is desirous of conveying its sentiments of esteem and affection to Mr. Nicholson; now, therefore, be it

Resolved by the House, That the Chief Clerk convey a copy of this resolution, properly authenticated, to Mr. Nicholson; and be it further

Resolved, That the Chief Clerk be directed by the House to communicate with the hospital authorities at Port Arthur to ascertain the progress or change in Mr. Nicholson's condition and report same to the House.

MORSE,
KINARD.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy,

Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Murray, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Craig, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

EXTENDING CONGRATULATIONS OF THE HOUSE

Mr. Hutchinson offered the following resolution:

H. S. R. No. 328, Extending Congratulations of the House to Honorable and Mrs. Price Daniel.

Whereas, On Sunday morning, June 8, 1941, at Saint David's Hospital in the City of Austin, there was born to Representative and Mrs. Price Daniel a nine-pound son, who has been named Price Daniel Jr.; and

Whereas, The Members of the Texas House of Representatives desire to extend congratulations to their distinguished colleague and his lovely wife; and

Whereas, The baby is a proper person to be named as mascot of the House of Representatives of the Forty-seventh Legislature because he is the son of our distinguished fellow Member, as well as because the baby is a direct descendant of Texas' most distinguished patriot, General Sam Houston, through its

mother, the former Jean Houston Baldwin, great-great granddaughter of General Houston; now, therefore, be it

Resolved, That the House of Representatives extends its sincere and hearty congratulations to Mr. and Mrs. Price Daniel; and that Price Daniel Jr. is hereby officially named as mascot of the House of Representatives of the Forty-seventh Legislature of the State of Texas.

HUTCHINSON.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsop, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Browner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Kelly, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

GRANTING EASEMENT OF CERTAIN LAND

Mr. Pevehouse offered the following resolution:

H. C. R. No. 221, Granting Easement of Certain Land to the State Highway Department.

Whereas, The State Highway Commission of Texas is engaged in an expansion and improving program involving the further construction of Highway No. 31 in this State, and in order to link the Highway system of the State of Texas; and

Whereas, It is necessary to acquire a right of way and easement through that certain property owned by the State of Texas and the State Orphans Home at Corsicana, Texas, described as follows, to-wit:

A strip of land along and adjacent to the centerline of State Highway No. 31, 1,605 ft. long, 60 ft. each side of said centerline for a distance of 1,068 ft. from Station 138-32 to Station 149-00; 60 ft. wide on the left of centerline and increasing uniformly from 60 ft. to 70 ft. wide on the right of centerline for 100 ft. from Station 149-00 to 150-00; 130 ft. wide, 60 ft. on the left and 70 ft. on the right of said centerline, for 437 ft. from Station 150-00 to Station 154-37.

Said centerline is described as follows, to-wit: Beginning at a point in the east line of the State of Texas 94-acre tract, said point being S 30 E 644 ft. from the most northerly northeast corner of said tract and N 30 W 603 ft. and S 60 W 465 ft. from an ell corner in the east line of the J. Williams Survey, the northwest corner of the G. Hempling Survey; thence S 53-20 W 1605 ft. to the west line of said tract and the west line of the J. Williams Survey at a point 1,535 ft. N 30 W from the southwest corner of said tract and said survey. Said strip of land contains 4.531 acres, more or less.

Also an easement for 0.115 acres of land required for the purpose of opening, constructing and maintaining a channel on the above described State of Texas 94-acre tract;

A strip of land 100 ft. long and 50 ft. wide, the centerline of which is described as follows, to-wit:

Beginning at a point on the south right of way line of proposed State Highway No. 31, said point being

S 36-40 E 60 ft. from Station 139-40; thence S 36-40 E 100 ft. to the end of channel easement.

Resolved by the House of Representatives, the Senate concurring, That the State Highway Department be, and it is hereby authorized in consideration of the benefits accruing to the State of Texas from the construction and maintenance of such, to execute to the State Highway Department an easement of said property as aforesaid for Highway purposes thereby granting the State Highway Department the right to construct and perpetually maintain Highway No. 31 and all grades and embankments necessary thereto, in and upon the lands heretofore described. The boundaries of said land to be determined by a survey by the engineers of the State Highway Department and upon completion of such survey the Board of Control is authorized, in the execution of the easement above provided for, to adopt the field notes of such survey and accurately define the boundaries of the land upon which such easement is granted by it as herein authorized.

The resolution was read second time and was adopted.

MOTION TO SUSPEND REGULAR ORDER OF BUSINESS

Mr. Matthews moved that the regular order of business be suspended at this time to take up and consider Senate Concurrent Resolution No. 75, providing for adjournment sine die on June 14.

The motion was lost.

PROVIDING FOR CERTAIN RECESS PERIOD

Mr. Manning offered the following resolution:

H. C. R. No. 210, Providing for Certain Recess Period.

Be it resolved by the House of Representatives, the Senate concurring, That on June 14, 1941, at twelve o'clock noon, the Legislature do recess during the period from that date and hour until July 14, 1941, at noon, when it shall again convene at the State Capitol:

Be it further resolved, That during said period of recess the Mem-

bers of the Legislature shall draw no per diem for their services and that all employees of both branches of the Legislature be discharged from service, and that the elective officers of the House and Senate be allowed no compensation during such recess except such officers and employees as the President of the Senate and the Speaker of the House find necessary to retain.

MANNING,
TAYLOR.

The resolution was read second time.

(Mr. Bean in the Chair.)

Mr. Bray offered the following amendment to the resolution:

Amend House Concurrent Resolution No. 210 by striking therefrom the recess date of June 14th and changing the recess date to June 16th.

Mr. Morris moved the previous question on the pending amendment and the resolution and the main question was ordered.

Question recurring on the amendment by Mr. Bray, it was adopted.

Mr. Reed of Bowie moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—55

Bailey	Hanna
Baker	Harris of Dallas
Blankenship	Henderson
Boone	Hileman
Bridgers	Hobbs
Bullock	Howington
Burkett	Hoyo
Chambers	Huddleston
Connelly	Hughes
Craig	Kennedy
Crossley	King
Daniel	Klingeman
Dickson of Bexar	Knight
Dickson of Nolan	Lowry
Dwyer	Lucas
Gandy	McAlister
Gilmer	McMurry
Goodman	McNamara
Halsey	Manford

Matthews
Morgan
Murray
Pace
Parker
Pevehouse
Price
Rampy
Reed of Bowie

Ridgeway
Roark
Roberts
Sallas
Smith of Bastrop
Stinson
Vale
Wattner

Nays—75

Allison	Kinard
Alsup	Lansberry
Avant	Lehman
Benton	Leyendecker
Brawner	Little
Bray	Lock
Brown	Love
Bruhl	Lyle
Bundy	McDonald
Burnaman	McGlasson
Carlton	McLellan
Carrington	Manning
Cato	Markle
Cleveland	Martin
Coker	Mills
Colson, Mrs.	Montgomery
Crosthwait	Moore
Donald	Morris
Dove	Morse
Duckett	Phillips
Ellis	Reed of Dallas
Eubank	Rhodes
Evans	Senterfitt
Ferguson	Sharpe
Files	Skiles
Fitzgerald	Smith of Atascosa
Fuchs	Spacek
Garland	Spangler
Hardeman	Stanford
Hargis	Stubbs
Harris of Hill	Taylor
Hartzog	Thornton
Heflin	Turner
Humphrey	Weatherford
Hutchinson	White
Isaacks	Whitesides
Jones	Winfree
Kelly	

Present—Not Voting

Walters

Absent

Bean	Deen
Celaya	Howard
Clark	Shell

Absent—Excused

Allen	Favors
Bell	Helpinstill
Davis	Huffman

Kersey
McCann
Nicholson

Simpson
Voigt

PAIRED

Mr. Walters (present), who would vote "yea," with Mr. Bell (absent), who would vote "nay."

Question recurring on the resolution, as amended, yeas and nays were demanded.

The resolution, as amended, was adopted by the following vote:

Yeas—74

Allison	Hutchinson
Alsop	Isaacks
Avant	Kelly
Benton	Kinard
Brawner	Lansberry
Bray	Lehman
Brown	Leyendecker
Bruhl	Little
Bundy	Lock
Burnaman	McDonald
Carlton	McGlasson
Carrington	McLellan
Cato	Manning
Clark	Markle
Cleveland	Martin
Coker	Mills
Colson, Mrs.	Montgomery
Crossley	Moore
Crosthwait	Morris
Donald	Morse
Dove	Phillips
Duckett	Reed of Dallas
Ellis	Rhodes
Eubank	Senterfitt
Evans	Sharpe
Ferguson	Skiles
Files	Smith of Atascosa
Fuchs	Spacek
Garland	Stanford
Halsey	Stubbs
Hardeman	Taylor
Hargis	Thornton
Harris of Hill	Turner
Hartzog	Weatherford
Heflin	White
Hughes	Whitesides
Humphrey	Winfree

Nays—55

Bailey	Burkett
Baker	Chambers
Blankenship	Connelly
Boone	Craig
Bridgers	Daniel
Bullock	Deen

Dickson of Bexar	McAlister
Dickson of Nolan	McMurry
Dwyer	McNamara
Gandy	Manford
Gilmer	Matthews
Goodman	Morgan
Hanna	Murray
Harris of Dallas	Pace
Henderson	Parker
Hileman	Pevehouse
Hobbs	Price
Howington	Rampy
Hoyo	Reed of Bowie
Huddleston	Ridgeway
Kennedy	Roberts
King	Sallas
Klingeman	Smith of Bastrop
Knight	Spangler
Love	Stinson
Lowry	Vale
Lucas	Wattner
Lyle	

Present—Not Voting

Walters

Absent

Bean	Jones
Celaya	Roark
Fitzgerald	Shell
Howard	

Absent—Excused

Allen	Kersey
Bell	McCann
Davis	Nicholson
Favors	Simpson
Helpinstill	Voigt
Huffman	

PAIRED

Mr. Walters (present), who would vote "yea," with Mr. Bell (absent), who would vote "nay."

Mr. Manning moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

(Speaker in the Chair.)

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 199

The Speaker announced the appointment of the following Conference Committee on House Bill No. 199:

Messrs. McNamara, Clark, Bean, McAlister and Kinard.

MESSAGE FROM THE SENATE

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

H. C. R. No. 201, Declaring an immediate need for the construction of State Highways.

H. C. R. No. 216, Authorizing the Enrolling Clerk to make corrections in House Bill No. 1074.

H. C. R. No. 211, Granting each House permission to adjourn June 5 until June 9.

S. C. R. No. 76, To dedicate Tyler State Park June 14 and 15, 1941.

Respectfully,

BOB BARKER,
Secretary of the Senate.

TO PROVIDE FOR ADJOURNMENT
SINE DIE AND FOR CERTAIN
RECESS PERIODS

Mr. Harris of Dallas moved that the necessary Rules be suspended for the purpose of taking up and considering at this time, House Concurrent Resolution No. 214, Providing for adjournment sine die, June 14th.

The motion was lost by the following vote (not receiving the necessary two-third vote):

Yeas—73

Avant	Gandy
Bailey	Garland
Baker	Gilmer
Blankenship	Goodman
Boone	Hanna
Burkett	Hargis
Chambers	Harris of Dallas
Clark	Hartzog
Connelly	Hileman
Craig	Hobbs
Crossley	Howington
Daniel	Hoyo
Deen	Huddleston
Dickson of Bexar	Humphrey
Dickson of Nolan	Hutchinson
Dove	Kennedy
Dwyer	King
Eubank	Klingeman
Ferguson	Knight
Fitzgerald	Lehman

Lock	Pevehouse
Lowry	Price
Lucas	Rampy
Lyle	Reed of Bowie
McAlister	Ridgeway
McDonald	Sallas
McLellan	Senterfitt
McMurry	Smith of Bastrop
McNamara	Smith of Atascosa
Manford	Spacek
Matthews	Stinson
Montgomery	Stubbs
Morgan	Thornton
Morse	Turner
Murray	Walters
Pace	Wattner
Parker	

Nays—52

Allison	Isaacks
Alsup	Jones
Benton	Kelly
Brawner	Kinard
Bray	Lansberry
Bridgers	Leyendecker
Bruhl	Little
Brown	Love
Bullock	McGlasson
Bundy	Markle
Burnaman	Martin
Carlton	Mills
Carrington	Moore
Cato	Morris
Cleveland	Phillips
Donald	Rhodes
Duckett	Roark
Ellis	Roberts
Files	Spangler
Fuchs	Stanford
Halsey	Taylor
Hardeman	Vale
Harris of Hill	Weatherford
Heflin	White
Henderson	Whitesides
Hughes	Winfree

Absent

Bean	Howard
Celaya	Manning
Coker	Reed of Dallas
Colson, Mrs.	Sharpe
Crosthwait	Shell
Evans	Skiles

Absent—Excused

Allen	Kersey
Bell	McCann
Davis	Nicholson
Favors	Simpson
Helpinstill	Voigt
Huffman	

Mr. Taylor moved to suspend the necessary House Rules in order that a motion may be made to lay on the table the sine die resolutions and resolutions providing for temporary recess on the Speaker's stand, at this time.

The motion to suspend the Rules was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—83

Allison	Jones
Alsup	Kelly
Avant	Kinard
Bean	Knight
Benton	Lansberry
Brawner	Leyendecker
Bray	Little
Bridgers	Lock
Brown	Love
Bruhl	McDonald
Bullock	McGlasson
Burnaman	McLellan
Carlton	Manning
Carrington	Markle
Cato	Mills
Clark	Montgomery
Cleveland	Moore
Coker	Morris
Colson, Mrs.	Morse
Deen	Murray
Donald	Phillips
Dove	Reed of Dallas
Duckett	Rhodes
Ellis	Roark
Eubank	Sallas
Evans	Sharpe
Ferguson	Skiles
Files	Smith of Bastrop
Fitzgerald	Smith of Atascosa
Fuchs	Spacek
Garland	Spangler
Hanna	Stanford
Hardeman	Stubbs
Hargis	Thornton
Harris of Hill	Vale
Heflin	Walters
Henderson	Wattner
Howington	Weatherford
Hughes	White
Humphrey	Whitesides
Hutchinson	Winfree
Isaacks	

Nays—46

Bailey	Bundy
Baker	Burkett
Blankenship	Chambers
Boone	Connelly

Craig	Lucas
Crossley	Lyle
Daniel	McAllister
Dickson of Bexar	McMurry
Dickson of Nolan	McNamara
Dwyer	Manford
Gandy	Martin
Gilmer	Matthews
Goodman	Pace
Halsey	Parker
Harris of Dallas	Pevehouse
Hartzog	Price
Hobbs	Rampy
Hoyo	Reed of Bowie
Huddleston	Ridgeway
King	Roberts
Klingeman	Senterfitt
Lehman	Stinson
Lowry	Turner

Absent

Celaya	Kennedy
Crosthwait	Morgan
Hileman	Shell
Howard	Taylor

Absent—Excused

Allen	Kersey
Bell	McCann
Davis	Nicholson
Favors	Simpson
Helpinstill	Voigt
Huffman	

Mr. Kennedy moved to suspend all necessary Rules in order that the House may take up and consider, at this time, all sine die resolutions, and those providing for temporary recess, on the Speaker's stand.

The motion to suspend the Rules prevailed.

In accordance with the above motion by Mr. Kennedy, the Speaker laid the following resolutions before the House:

H. C. R. No. 212, To Provide for Certain Recess Period.

Be it resolved by the House of Representatives, the Senate concurring, That on June 10, at 12 noon, the Legislature do recess during the period from that date and hour until June 30, at noon, when it shall again convene at the State Capitol;

Be it further resolved, That during said period of recess the Members of the Legislature shall draw no per diem for their services and that all employees of both branches of the Legislature be discharged

from service, and that the elective officers of the House and Senate be allowed no compensation during such recess except such officers and employees as the President of the Senate and the Speaker of the House find necessary to retain.

CATO.

H. C. R. No. 213, To Provide for Certain Recess Period.

Be it resolved by the House of Representatives of the Forty-seventh Legislature, the Senate concurring, That the House and the Senate recess from Friday, June 13, 1941, until 10:30 a. m. Tuesday, July 1, 1941, A. D.

Be it further resolved, That during said period of recess the Members of the Legislature shall draw no per diem for their services and that all employees of both branches of the Legislature be discharged from service, and that the elective officers of the House and Senate be allowed no compensation during such recess except such officers and employees as the President of the Senate and the Speaker of the House find necessary to retain.

COKER.

H. C. R. No. 214, To Provide for Adjournment Sine Die.

Be it resolved by the House of Representatives, the Senate concurring, That the 47th Legislature be adjourned sine die on June 14th, 1941, at 6 p. m.

LYLE.

H. C. R. No. 215, To Provide for Adjournment Sine Die.

Be it resolved by the House of Representatives, the Senate concurring, That the 47th Legislature be adjourned sine die on June 30, 1941, at 6 p. m.

LYLE.

H. C. R. No. 217, To Provide for Certain Recess Period.

Whereas, The House of Representatives and the Senate are in a deadlock as to the means, method, and date of ending the Forty-seventh Legislature; and

Whereas, It appears evident that some type of compromise is necessary in order that they may come to some agreement; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the House of Representatives stand recessed from the 14th day of June at 6:00 p. m., 1941, until the 5th day of July at 10:00 a. m., 1941; and

Be it further resolved by the House of Representatives, the Senate concurring, That the Clerk of the House of Representatives and the Treasurer of the State of Texas be instructed to draw no warrants for per diem pay for the Members of the House of Representatives and the Senate during the recess period.

LANSBERRY,
BELL,
MARKLE,
CARLTON.

H. C. R. No. 218, To Provide for Adjournment Sine Die.

Be it resolved by the House of Representatives of the Forty-seventh Legislature, the Senate concurring, that the Regular Session of the Forty-seventh Legislature adjourn sine die on June 30th, 1941, at 12 o'clock noon.

CATO.

S. C. R. No. 75, To Provide for Adjournment Sine Die.

Be it resolved by the Senate of Texas, the House of Representatives concurring, That the Regular Session of the 47th Legislature stand adjourned sine die at 12:00 o'clock noon, Saturday, June 14, 1941.

On motion of Mr. Taylor, the resolutions were tabled by the following vote:

Yeas—68

Allison	Donald
Alsup	Dove
Avant	Duckett
Benton	Ellis
Brawner	Eubank
Bray	Evans
Bridgers	Ferguson
Brown	Files
Bruhl	Fuchs
Bundy	Hanna
Burnaman	Hardeman
Carlton	Hargis
Carrington	Harris of Hill
Cato	Heflin
Clark	Henderson
Cleveland	Hughes
Coker	Hutchinson

Isaacks	Morris
Kelly	Morse
Kinard	Phillips
Lansberry	Rhodes
Leyendecker	Roark
Little	Sharpe
Lock	Skiles
Love	Spacek
McDonald	Spangler
McGlasson	Stanford
McLellan	Stubbs
Manning	Taylor
Markle	Thornton
Martin	Weatherford
Mills	White
Montgomery	Whitesides
Moore	Winfree

Nays—60

Bailey	Klingeman
Baker	Knight
Blankenship	Lehman
Boone	Lowry
Bullock	Lucas
Burkett	Lyle
Chambers	McAlister
Connelly	McMurry
Craig	McNamara
Crossley	Manford
Daniel	Matthews
Deen	Morgan
Dickson of Bexar	Murray
Dickson of Nolan	Pace
Dwyer	Parker
Fitzgerald	Pevehouse
Gandy	Price
Gilmer	Rampy
Goodman	Reed of Bowie
Halsey	Ridgeway
Harris of Dallas	Roberts
Hartzog	Sallas
Hileman	Senterfitt
Hobbs	Smith of Bastrop
Howington	Smith of Atascosa
Hoyo	Stinson
Huddleston	Turner
Jones	Vale
Kennedy	Walters
King	Wattner

Present—Not Voting

Humphrey

Absent

Bean	Garland
Celaya	Howard
Colson, Mrs.	Reed of Dallas
Crosthwait	Shell

Absent—Excused

Allen	Helpinstill
Bell	Huffman
Davis	Kersey
Favors	McCann

Nicholson	Voigt
Simpson	

PAIRED

Mr. Humphrey (present), who would vote "nay," with Mr. Bell (absent), who would vote "yea."

TO GRANT PERMISSION TO
SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

H. C. R. No. 209, To grant Heiner B. McPherson permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was adopted by the following vote:

Yeas—115

Allison	Duckett
Alsup	Ellis
Avant	Eubank
Bailey	Ferguson
Baker	Files
Benton	Fitzgerald
Blankenship	Fuchs
Boone	Gandy
Brawner	Garland
Bray	Gilmer
Bridgers	Halsey
Brown	Hanna
Bruhl	Hardeman
Bullock	Hargis
Burkett	Harris of Dallas
Burnaman	Harris of Hill
Carlton	Hartzog
Carrington	Henderson
Cato	Hileman
Chambers	Howard
Clark	Hoyo
Cleveland	Huddleston
Coker	Hughes
Colson, Mrs.	Humphrey
Connelly	Hutchinson
Craig	Jones
Crossley	Kelly
Daniel	Kennedy
Deen	Kinard
Dickson of Bexar	Klingeman
Dickson of Nolan	Lansberry
Donald	Lehman
Dove	Little

Lock	Reed of Bowie
Love	Reed of Dallas
Lowry	Ridgeway
Lucas	Rhodes
Lyle	Roark
McAlister	Roberts
McLellan	Sallas
McMurry	Senterfitt
McNamara	Sharpe
Manford	Skiles
Markle	Smith of Bastrop
Martin	Smith of Atascosa
Matthews	Spacek
Mills	Spangler
Montgomery	Stanford
Moore	Stinson
Morgan	Stubbs
Morris	Thornton
Morse	Turner
Murray	Vale
Pace	Walters
Parker	Wattner
Pevehouse	Weatherford
Phillips	White
Price	Whitesides
Rampy	

Nays—3

Goodman	Knight
Howington	

Absent

Bean	King
Bundy	Leyendecker
Celaya	McDonald
Crosthwait	McGlasson
Dwyer	Manning
Evans	Shell
Heflin	Taylor
Hobbs	Winfree
Isaacks	

Absent—Excused

Allen	Kersey
Bell	McCann
Davis	Nicholson
Favors	Simpson
Helpinstill	Voigt
Huffman	

HOUSE BILL NO. 963 WITH SENATE AMENDMENTS

Mr. Manning called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 963, A bill to be entitled "An Act appropriating out of the State General Revenue Fund the

sum of One Thousand (\$1,000.00) Dollars to the Eddins Common School District, No. 62, Shelby County, Texas, to be used by said school district in rebuilding a public school house within the district."

Mr. Manning moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on House Bill No. 963:

Messrs. Alsup, Stubbs, Manning, Allison and Humphrey.

CONFERENCE COMMITTEE RE- PORT ON HOUSE BILL NO. 233

On motion of Mr. Alsup, the following Conference Committee report on House Bill No. 233 was ordered printed in the Journal,

Austin, Texas, June 9, 1941.

Honorable Coke R. Stevenson, President of the Senate;

Honorable Homer Leonard, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and the Senate on House Bill No. 233, have met and beg leave to recommend that said House Bill No. 233 be passed in the form attached hereto.

Respectfully submitted,

AIKIN,
METCALFE,
LOVELADY,
VAN ZANDT,
FORMBY,

On the part of the Senate.

ALSUP,
BULLOCK,
MORRIS,
LOCK,
ALLISON,

On the part of the House.

H. B. No. 233,

A BILL

To Be Entitled

An Act appropriating the sum of One Million, One Hundred Eighty-six Thousand, Five Hundred and Fifty-five Dollars and Fifty-eight Cents (\$1,186,555.58) per year or so much thereof as may be necessary, for the next biennium beginning September 1, 1941, and ending August 31, 1943, from the General Revenue Fund for the purpose of promoting public school interests and assisting local districts in the teaching of vocational agriculture, home economics, trades and industries, vocational rehabilitation, and rehabilitation for crippled children according to the Federal laws governing vocational education, all of which shall be matched by Federal funds; providing for the administration, attaching conditions, regulations, and limitations relative thereto; making various allocations of said appropriation; authorizing aid to such schools in accordance with the conditions specified herein; providing all costs of administering funds named in this Act shall be paid out of moneys appropriated in this Act under the authority of the State Superintendent of Public Instruction, who is the Executive Officer of the State Board for Vocational Education under the direction of the State Board for Vocational Education; providing for acceptance and disbursement of all Federal moneys as may be made available to the State Board for Vocational Education in accordance with plans acceptable to the Federal agency in charge of such funds; defining the powers of the State Board for Vocational Education and the State Superintendent who is the Executive Officer; repealing all laws or parts of laws in conflict herewith; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. For the purpose of promoting public school interests and matching Federal funds, there is hereby appropriated out of the General Revenue Fund One Million, One

Hundred Eighty-six Thousand, Five Hundred and Fifty-five Dollars and Fifty-eight Cents (\$1,186,555.58), or so much thereof as may be necessary for the School year ending August 31, 1942, and One Million, One Hundred Eighty-six Thousand, Five Hundred and Fifty-five Dollars and Fifty-eight Cents (\$1,186,555.58) or so much thereof as may be necessary for the school year ending August 31, 1943, to be allotted and expended by the State Superintendent of Public Instruction under the direction of the State Board for Vocational Education.

Sec. 2. The funds appropriated in this Act shall be expended in accordance with all Federal laws and regulations governing vocational education, providing that in schools where equalization funds are received, vocational agriculture, home-making, and trades and industries shall comply with such regulations as set forth in the Equalization Bill.

Sec. 3. Provided that vocational agriculture and trade and industrial teachers may be paid for twelve (12) months where the superintendent of the school in which they are employed has certified to the State Superintendent of Public Instruction that such teacher is actually engaged in teaching this work twelve (12) months; and salaries may be paid to vocational home economics teachers not to exceed ten (10) months in any one (1) year. Provided further that no salary shall be paid to local trial teachers in vocational schools in excess of Eighteen Hundred Dollars (\$1800) per year for the first two (2) years of their teaching experience, and shall not be consummated until same is approved by the State Board for Vocational Education upon the recommendation of the State Superintendent.

Sec. 4. The State Board for Vocational Education, through its Executive Officer, the State Superintendent, is hereby authorized to receive and disburse in accordance with plans acceptable to the responsible Federal Agency, all Federal moneys that are made available to the State of Texas for such purposes as training personnel for National Defense Industries, and for such other activities as come under the authority of

the State Board for Vocational Education.

Sec. 5. There is hereby allocated and set aside the following amounts for the purposes indicated below:

Vocational Agriculture: Three Hundred Eighty-five Thousand, Four Hundred Twenty-five Dollars (\$385,425.00).

Vocational Home Economics: Two Hundred Ninety-six Thousand, Seven Hundred Fifty-six Dollars and Fifty-eight Cents (\$296,756.58).

Trades and Industries: Two Hundred Thousand Dollars (\$200,000.00).

Vocational Rehabilitation: One Hundred Fifty-four Thousand, Three Hundred Seventy - four Dollars (\$154,374.00).

Rehabilitation for Crippled Children: One Hundred Fifty Thousand Dollars (\$150,000.00).

Provided the unexpended balances remaining in the funds herein appropriated under the provisions of this Act at the end of each fiscal year may be re-allocated by the State Superintendent of Public Instruction.

Sec. 6. All laws and parts of laws in conflict herewith are hereby expressly repealed.

Sec. 7. The fact that many schools in this State are desirous of having the services of vocational teachers mentioned in this Act, and the further fact that if these schools receive such services it is absolutely necessary that this appropriation be passed, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

PROVIDING FOR THE CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

Mr. Kelly asked unanimous consent of the House that at 11:00 a. m. tomorrow the House take up and consider local and uncontested bills.

There was no objection offered and it was so ordered.

CONFERENCE COMMITTEE REPORTS ORDERED PRINTED

On motion of Mr. Réed of Dallas the Conference Committee reports on Senate Bill No. 423 and House Bill No. 272 were ordered printed as a supplement to the House Journal.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and their captions had been read severally the following enrolled bills and resolutions:

H. C. R. No. 92, To grant Mrs. Mamie Scherrer permission to sue the State.

H. C. R. No. 128, To grant W. C. and B. H. Kulp permission to sue the State.

H. B. No. 515, "An Act applicable to the County of Tom Green, State of Texas, prohibiting the transportation of minnows beyond the borders of said county for the purpose of sale; limiting the number of minnows to be transported beyond the limits of said county; prohibiting the use of trotlines or throwlines containing more than twenty-five (25) hooks; limiting the use of such lines to a maximum of two such lines to any person or group of persons; providing for a closed season on fishing in said county, with certain exceptions; providing legal length of catfish in said county; providing the daily bag limit of catfish; providing penalties for any violation of this Act; and declaring an emergency."

H. B. No. 1059, "An Act to amend Section 40 of Senate Bill No. 36, Acts of the Forty-sixth Legislature, to provide the effective date for making grants of aid and assistance to the needy blind and for destitute dependent children; making an appropriation for providing and administering aid to the blind for the period from May 1, 1941 to August 31, 1941; making an appropriation for providing and administering aid and assistance for destitute dependent children for the period from May 1, 1941, to August 31, 1941; and declaring an emergency."

H. C. R. No. 197, Providing for

certain correction in House Joint Resolution No. 1.

H. C. R. No. 211, Providing for certain adjournment period.

H. C. R. No. 216, Authorizing certain correction in House Bill No. 1074.

H. B. No. 871, "An Act granting consent by the State of Texas to Walter Garrison, Burt C. Cromwell and his wife, Lucille Cromwell, their heirs, executors and administrators, to file suit against the State of Texas and/or County of the San Patricio and/or State highway Department of Texas in the District Court of San Patricio County, Texas; and to impose liability on the State of Texas for the negligence of its agents, officers or representatives for damages proximately caused by such negligence to the above named claimants, growing out of an automobile accident on the public highway running from Sinton to Taft, Texas, and providing for process in such suit upon the Attorney General of Texas, and any judgment to be paid out of the State Highway fund and from the monies received from motor vehicle registration fees; providing further that the invalidity of one part of the Act should not render invalid other provisions; and declaring an emergency."

H. B. No. 1020, "An Act creating a Firemen's Relief and Retirement Fund in cities having a population of 280,000 or more, according to the preceding or any future Federal Census; creating a board to administer such Fund; providing that the Mayor and City Treasurer or City Secretary, together with three (3) Members of the Fire Department to be selected by a vote of the members of such department, shall compose the Board; providing the Mayor shall be the chairman of said Board and enacting other provisions with reference to the organization and duties of said Board; providing for the segregation of a proportionate part of accumulated funds now in a general pension fund to the Firemen's Relief and Retirement Fund; etc., and declaring an emergency."

HOUSE BILL ON FIRST READING

Mr. Stanford asked unanimous

consent to introduce at this time and have placed on first reading House Bill No. 1079.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the Appropriate Committee, as follows:

By Mr. Stanford and Mr. Carrington:

H. B. No. 1079, A bill to be entitled "An Act providing that the Commissioners Courts in all counties having a population of not less than one hundred thousand (100,000) and not more than one hundred and ninety thousand (190,000) inhabitants, according to the last preceding Federal Census, shall compute and fix the maximum annual salary to be paid an officer named in Section 13, of Chapter 465 of the Acts of the Second Called Session of the Forty-fourth Legislature, where such officer's salary was based upon population under the laws existing on August 24, 1935, on the basis of the population of said county, according to the last preceding Federal Census; provided that the Commissioners Courts in said counties are authorized to fix the maximum annual salary for the balance of the fiscal year 1941 after the effective date of this Act on the basis of the Federal Census of 1940 and thereafter according to the last preceding Federal Census; and declaring an emergency."

Referred to Committee on Counties.

BILL ORDERED NOT PRINTED

On motion of Mr. Stanford, H. B. No. 1079 was ordered not printed.

ADJOURNMENT

Mr. Reed of Bowie moved that the House recess until 3:00 o'clock p. m. today.

Mr. Reed of Dallas moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Question recurring on the motion to adjourn yeas and nays were demanded.

The motion to adjourn prevailed by the following vote:

Yeas—72

Allison	Kinard
Alsup	Klingeman
Avant	Little
Bailey	Lock
Benton	Love
Boone	Lowry
Brawner	McAlister
Brown	McGlasson
Bruhl	McNamara
Bullock	Markle
Burnaman	Martin
Carlton	Mills
Carrington	Montgomery
Chambers	Moore
Crosthwait	Morgan
Daniel	Morris
Dickson of Nolan	Morse
Dove	Murray
Duckett	Pace
Ellis	Pevehouse
Evans	Phillips
Ferguson	Reed of Dallas
Fitzgerald	Ridgeway
Gilmer	Rhodes
Halsey	Roberts
Hargis	Sallas
Harris of Dallas	Skiles
Harris of Hill	Smith of Atascosa
Heflin	Spangler
Henderson	Thornton
Hileman	Turner
Hobbs	Vale
Hoyo	Weatherford
Huddleston	White
Kelly	Winfree
Kennedy	

Nays—58

Baker	Hardeman
Blankenship	Howington
Bray	Hughes
Bridgers	Humphrey
Bundy	Hutchinson
Burkett	Isaacks
Cato	Jones
Cleveland	King
Coker	Knight
Colson, Mrs.	Lansberry
Connelly	Lehman
Craig	Lucas
Crossley	Lyle
Deen	McDonald
Dickson of Bexar	McLellan
Donald	McMurry
Dwyer	Manford
Eubank	Manning
Files	Matthews
Fuchs	Parker
Gandy	Price
Goodman	Rampy
Hanna	Reed of Bowie

Roark	Stinson
Senterfitt	Stubbs
Sharpe	Taylor
Smith of Bastrop	Walters
Spacek	Wattner
Stanford	Whitesides

Absent

Bean	Hartzog
Celaya	Howard
Clark	Leyendecker
Garland	Shell

Absent—Excused

Allen	Kersey
Bell	McCann
Davis	Nicholson
Favors	Simpson
Helpinstill	Voigt
Huffman	

The House accordingly at 12:20 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORT

The Committee on Counties filed a favorable report on House Bill No. 1079.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, June 5, 1941

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 211, Providing that each House grant the other permission to adjourn from Thursday, June 5, 1941, to Monday, June 9, 1941.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 5, 1941

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 216, Authorizing the Enrolling Clerk to make corrections in H. B. No. 1074.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 5, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 201, Declaring an immediate need for the construction of State Highways.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 5, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 200, Providing for the appointment of a committee to investigate all phases of child care in the State and to prepare a report to be submitted to the next Regular Session of the Legislature.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 5, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 188, Memorializing Congress to designate the second Sunday in May as Mothers' and Fathers' Day.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 187, Approving the President's declaration of principle in the emergency for defense.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 871, "An Act granting consent by the State of Texas to Walter Garrison, Burt C. Cromwell and his wife, Lucille Cromwell, their heirs, executors, and administrators, to file suit against the State of Texas and/or County of San Patricio and/or State Highway Department of Texas in the District Court of San Patricio County, Texas; and to impose liability on the State of Texas for the negligence of its agents, officers, or representatives for damages proximately caused by such negligence to the above-named claimants, growing out of an automobile accident on the public highway running from Sinton to Taft, Texas, and providing for process in such suit upon the Attorney General of Texas, providing appeal may be prosecuted to the Court of Civil Appeals and other appellate court and the Supreme Court of Texas precisely as if both parties to such appeal were private individuals; and providing that this Act shall constitute no admission of liability on the part of the State; providing further that the invalidity of one part of the Act should not render invalid other provisions; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

MORGAN, Acting Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 216, Authorizing the Enrolling Clerk of the House to make certain corrections in House Bill No. 1074.

Has carefully compared same and finds it correctly enrolled.

MORGAN, Acting Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 211, Granting each House permission to adjourn from

Thursday, June 5th, until Monday, June 9th.

Has carefully compared same and finds it correctly enrolled.

MORGAN, Acting Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 201, Declaring an immediate need for the construction of State Highways.

Has carefully compared same and finds it correctly enrolled.

MORGAN, Acting Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 197, Authorizing correction in House Joint Resolution No. 1,

Has carefully compared same and finds it correctly enrolled.

MORGAN, Acting Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 128, Granting W. C. Kulp and B. H. Kulp, composing a partnership operating under the firm name of Kulp Bros., permission to bring suit against the State of Texas,

Has carefully compared same and finds it correctly enrolled.

MORGAN, Acting Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 92, Granting permission to Mrs. Mamie Scherrer and husband, Emil Scherrer, to bring suit against the State of Texas,

Has carefully compared same and finds it correctly enrolled.

MORGAN, Acting Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1020, "An Act creating a Firemen's Relief and Retirement Fund in cities having a population of three hundred and eighty thousand (380,000) or more, according to the preceding or any future Federal Census; creating a board to administer such Fund; providing that the Mayor and City Treasurer or City Secretary, together with three (3) members of the Fire Department to be selected by a vote of the members of such Department, shall compose the Board; providing the Mayor shall be the chairman of said Board and enacting other provisions with reference to the organization and duties of said Board; providing for the segregation of a proportionate part of accumulated funds now in a general pension fund to the Firemen's Relief and Retirement Fund; providing for the appropriation of not less than three (3) per centum of the annual Fire Department pay roll annually to be deposited to this Fund; authorizing the acceptance of contributions to said Fund and for the deposit of earnings on any investment of said Fund; providing for retirement of certain persons who have served actively in organized fire departments in cities coming within the provisions of this Act and for the payment of pensions to such persons based on average monthly salary of such persons being retired for the five-year period preceding their retirement; including persons heretofore issued certificates of retirement within the provisions of this Act; providing for the retirement of active firemen who become physically or mentally disabled while in the performance of duty, in the discretion of the Board, after the filing of a certificate of such disability signed and sworn by such disabled person and/or the city physician; providing for restoration of service after such disability shall cease; providing for filing of statement under oath by

each person desiring to participate in benefits from such fund; authorizing the deduction of not less than one nor more than three (3) per centum from his salary; providing that failure to file such statement or failure or refusal to allow such deductions shall forfeit his right to participate in such Fund; providing for vote of members of fire departments within thirty (30) days after the effective date of the Act upon the amount of salary to be deducted for this Fund; making provision for pension payments to surviving members of the family of deceased firemen who have been retired because of disability; exempting said Fund from seizure or levy by any execution, attachment, etc.; making retirement optional with firemen subject to approval of the board; providing for re-examination of persons retired for physical disability; providing for recall to duty after retirement; providing for discontinuing payment hereunder to persons convicted of a felony and for payment to dependents instead; making provision for time spent in armed forces of the nation during war or national emergency; providing all persons now being paid under similar statutes shall be included in this Act and the board created hereunder shall stand in place of any similar board created by prior statute; making it the duty of the City Attorney to represent the Board of Trustees, without additional compensation, in all cases of appeal; providing for investment of surplus in Federal, State, county and municipal bonds; providing for recovery by the Board of Trustees by civil action of any moneys paid out through fraud, misrepresentation, etc.; providing for the proportionate reduction of allowance or disability benefits in case of insufficiency of funds; defining terms; providing a saving clause; fixing the effective date of the Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

MORGAN, Acting Chairman.

Austin, Texas, June 9, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 515, An Act applicable to the County of Tom Green, State of Texas, prohibiting the transportation of minnows beyond the borders of said County for the purpose of sale; limiting the number of minnows to be transported beyond the limits of said County; prohibiting the use of trotlines or throw lines containing more than twenty-five (25) hooks; limiting the use of such lines to a maximum of two such lines to any person or group of persons; providing for a closed season on fishing in said County, with certain exceptions; providing legal length of catfish in said County; providing the daily bag limit of catfish; providing penalties for any violation of this Act; providing the provisions of this Act shall expire June 1, 1943; and repealing all laws in conflict,

Has carefully compared same and finds it correctly enrolled.

MORGAN, Acting Chairman.

SENT TO THE GOVERNOR

June 9, 1941

House Bill No. 965.

House Bill No. 360.

House Bill No. 1012.

House Bill No. 922.

House Bill No. 1049.

House Bill No. 1059.

House Bill No. 515.

House Bill No. 871.

House Bill No. 1020.

House Concurrent Resolution No. 92.

House Concurrent Resolution No. 128.

House Concurrent Resolution No. 197.

House Concurrent Resolution No. 211.

House Concurrent Resolution No. 216.

EIGHTY-SEVENTH DAY

(Tuesday, June 10, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present: